

REMARKS

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 31** relates to a **propylene homopolymer** satisfying:

- (1) a 25°C hexane soluble content (H25) of 0-80 wt%;
- (2) neither a melting temperature (T_m) nor a melting endotherm (ΔH) measurable by differential scanning calorimetry (DSC);
- (3) a mesopentad fraction (mmmm) of 30-60 mol%;
- (4) a racemic pentad fraction (rrrr) satisfying the following relationship:
$$\{\text{rrrr}/(1\text{-mmmm})\} \leq 0.1;$$
- (5) a fraction (W25) eluted at a temperature up to 25°C by temperature programmed chromatography, of from 20-100 wt%;
- (6) a pentad fraction (rmm) of more than 2.5 mol%; and
- (7) an intrinsic viscosity (η) of from 0.5-15.0 dl/g as measured at 135°C in tetralin.

In contrast, Gauthier et al fail to disclose or suggest a propylene homopolymer as claimed in Claim 31 satisfying requirements (1), (4), (5) (6), and (7).

Further Applicants submit herewith a Rule 132 Declaration showing that the Examples of Gauthier et al fail to satisfy requirements (1) and (7), namely the **hexane soluble content (H25) of 0-80 wt% and the intrinsic viscosity (η) of from 0.5-15.0 dl/g**. The Table I from the attached Declaration is reproduced below.

Table I

Item	Ex. I-1	Ex. I-2	Ex. II-1	Ex. II-2
W25 wt%	> 99	> 99	> 99	> 99
H25 wt %	> 99	> 99	> 99	> 99
Tm °C	n.d	n.d	n.d	n.d
mmmm fraction mol%	30.6	38.7	30.1	32.5
rrrr/(l-mmmm)	0.07	0.05	0.07	0.06
rmmr fraction mol%	2.7	2.7	2.6	2.7
(η) dl/g	0.4	0.3	0.3	0.3
Mw/Mn	2.2	2.1	2.1	2.2
2,1-insertion fraction mol%	0	0	0	0
1,3-insertion fraction mol%	0	0	0	0

As can be seen, Gauthier's (H25) is > 99 wt% and (η) is 0.3 or 0.4. Thus, both properties are outside the claimed scope.

Tanizaki et al do not cure the defects of the primary reference. The combination of Gauthier et al and Tanizaki et al does not provide all claim limitations. Accordingly, no proper prima facie case of obviousness exists and the rejection should be withdrawn.

Therefore, the rejection of Claims 3-5, 8-11, 26 and 31 under 35 U.S.C. §103 (a) as obvious over Gauthier et al and the rejection of Claims 17, 21 and 22 under 35 U.S.C. § 103(a) over Gauthier et al in view of Tanizaki et al are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of these rejections is respectfully requested.

The rejection of Claims 1, 6, 7, 12-15, 23, 24, and 27 over Rieger and Kashiwamura et al is moot in view of the cancellation of these claims.

The rejection of Claims 18, 23 and 27 over Rieger and Kashiwamura et al and Tanizaki et al is moot in view of the cancellation of these claims.

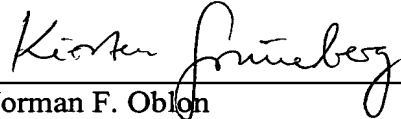
The rejection of Claims 28-30 under 35 U.S.C. § 102(b) over Kashiwamura et al is moot in view of the cancellation of these claims.

The rejection of Claims 6, 28 and 29 under 35 U.S.C. §112, second paragraph, is moot in view of the cancellation of these claims.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No.: 24,618

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
NFO:KAG:

Kirsten A. Grueneberg, Ph.D.
Registration No.: 47,297

I:\USER\KGRUN\220583.AM.DOC